

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF MASSACHUSETTS**

Ina Steiner,  
David Steiner,  
Steiner Associates, LLC,  
    *(Publisher of EcommerceBytes)*  
                    Plaintiffs

vs.

eBay, Inc., et al.,  
                    Defendants

CASE NO: 1:21-cv-11181

**MOTION FOR LEAVE TO FILE CONSOLIDATED RESPONSE TO DEFENDANTS’  
SUPPLEMENTAL REPLY IN SUPPORT OF MOTIONS’ TO DISMISS**

Now come the Plaintiffs and respectfully request that this Court grant Plaintiffs leave to file a Consolidation Response to Defendant eBay, Wenig and Wymers’ Supplemental Replies in Support of their Motions to Dismiss. In support thereof, Plaintiffs state the following:

1. Plaintiffs filed a Consolidated Opposition to Defendants’ Motions to Dismiss on May 23, 2022.
2. The Defendants filed both consolidated replies and individuals replies to the Plaintiffs’ Opposition on June 24, 2022.
3. Plaintiffs were granted leave to file a Supplement to their Opposition to the Motion to Dismiss on September 30, 2022.
4. On October 1, 2022, Plaintiffs filed three documents along with a pleading describing the relevancy of the documents.
5. Defendants eBay, Wenig and Wymer each filed motions for leave to file a supplemental reply to Plaintiffs’ filing, which the Court allowed.

6. The Defendants have responded with over thirty collective pages of argument, attacking Plaintiffs and accusing them of misrepresenting the documents filed.
7. Plaintiffs are seeking leave to file a short consolidated reply to briefly respond to the Defendants' new claims.
8. Pursuant to Local Rule 7.1, counsel for Plaintiffs have conferred with counsel for Defendant eBay, and eBay does not assent to this motion. Counsel for Plaintiffs contacted counsel for Defendant Wenig and Defendant Wymer to determine their position but did not receive a response.

Wherefore, Plaintiffs requests leave to file a Consolidation Response to Defendant eBay, Wenig and Wymers' Supplemental Replies in Support of their Motions to Dismiss.

Respectfully submitted,  
PLAINTIFFS  
By their attorneys,

/s/ Rosemary Curran Scapicchio  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 26, 2022, the foregoing document was filed electronically with the Clerk of the Court using the ECF system, for uploading and service by electronic notice to counsel and parties authorized to receive electronically Notices of Electronic Filing.

/s/ Rosemary Scapicchio